Duane Morris*

DUANE MORRIS LLP
ONE MARKET, SPEAR TOWER, SUITE 2000
SAN FRANCISCO, CA 94105-1104
PHONE: 415.957.3000
PAX: 415.957.3001

RECEIVED CENTRAL FAX CENTER

DEC 2 0 2006

FACSIMILE TRANSMITTAL SHEET

To:

Examiner Fangemonique A. Smith - Group 3736

FIRM/COMPANY:

U.S. Patent and Trademark Office

Mail Stop Amendment

FACSIMILE NUMBER:

571.273.8300

CONFIRMATION TELEPHONE:

FROM:

Edward J. Lynch

DIRECT DIAL:

415.957.3067

DATE:

December 20, 2006

USER NUMBER:

5119

FILE NUMBER:

Attorney Docket No. R0367-02501;

Serial No. 10/729,086

TOTAL # OF PAGES: (INCLUDING COVERSHEET)

17

MESSAGE:

Please see the attached Amendment and Response to Office

Action.

NOTE: Original will not follow

CONFIDENTIALITY NOTICE

THIS FACSIMILE TRANSMISSION IS PRIVILEGED AND CONFIDENTIAL AND IS INTENDED ONLY FOR THE REVIEW OF THE PARTY TO WHOM IT IS ADDRESSED. IF YOU HAVE RECEIVED THIS TRANSMISSION IN ERROR, PLEASE IMMEDIATELY TELEPHONE THE SENDER ABOVE TO ARRANGE FOR ITS RETURN, AND IT SHALL NOT CONSTITUTE WAIVER OF THE ATTORNEY-CLIENT PRIVILEGE.

If there is a problem with this transmission, please call us as soon as possible at 415.957.3000.

DUANE MORRES LLP-SF-22FL CENTRAL FAX CENTER

DEC 2 0 2006

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of) Examiner: Fangemonique A. Smith						
Burbank et al.)	Group A	rt Unit: 3	736		
For:		UE ACCESSING AND HORING DEVICE AND	METHOD)					
Serial No.: 10/729,086))) <u>AMENDMENT AND RESPONSE</u>) <u>TO OFFICE ACTION MAILED</u>				
File	d: Decemi	ber 5, 2003)		O OTTE	09/25/200		
Atty	. Docket.	No.: R0367-02501)					
		CERTIFICATE OF M at this these papers are being sent by nt, Commissioner for Patents, P.O. E	r facsimile to (571)	273-8300, and add ria VA 22313-145	lressed to Exa	miner Fangemo		
Com P.O.	Box 1450	for Patents	•					
Dear	r Sir:							
1.		tted herewith for filing in the to Office Action Mailed		ntified patent a	applicatio	n is an <u>Ame</u>	ndment and	
2.	Claim F	Claim Fee Calculation X No additional claim fee is required. Amendment increases number of claims or multiple dependencies. Additional Claim Fee Calculation						
		Description	Fee Code	Claims	Extra	Rate	Fee	
		Independent Claims	2201	5-7=	0 x	\$100=	\$0	
		Total Claims	2202	41-65=	0 x	\$25=	\$0	
					Fees Du	e		
	Payment X	Enclosed is a check for the Commissioner is aufees set forth under 3 referencing Attv. Dock enclosed for fee proces	thorized to ch 7 C.F.R. §1. et No. R0367	arge any fees .16 or §1.17 <u>7-02501</u> . A 6	due and to to Dep duplicate	o credit any osit Accouract Accouract Copy of the Copy	overpayment on No 04-1679	9,
Duar One	X ne Morris Market	Enclosed is a check for the Commissioner is aufees set forth under 3 referencing Attv. Dock enclosed for fee proces	thorized to ch 37 C.F.R. §1 et No. R0367 sing.	arge any fees .16 or §1.17 7-02501. A Edward J. Ly Registration	due and to to Dep duplicate	o credit any osit Accouract Accouract Copy of the Copy	overpayment on No 04-1679	9,

Telephone: (415) 957-3000 Facsimile: (415) 957-3001 Direct Dial: (415) 957-3067

RECEIVED CENTRAL FAX CENTER

DEC 2 0 2006

PATENT

		IN THE UNITED STA	ILS PAIEN	II AND IRA	IDE.WLA.R	G OFFICE	•	
In re	the applic	ation of)	Examine	er: Fange	monique A.	Smith	
Burbank et al.)	Group A	at Unit: 3	3736		
For:		E ACCESSING AND ORING DEVICE AND	MŒTHOD					
Serial	No.: 10/	729,086	ý				RESPONSE	
Filed:	Decemb	er 5, 2003))	•	ro offi	<u>CE ACTIO</u> 09/25/200	<u>n mailed</u> <u>6</u>	
Atty.	Docket. N	lo.: R0367-02501	ý					
Mail S Comm P.O. I	Stop Amenissioner:	this these papers are being sent by Commissioner for Patents, P.O. 1 andment for Patents 22313-1450	Sirpa Kir	ria, VA 22313-14:	Tressed to Ex.	ammer Pangerno ber 20, 2006. in	nique A. Smith, Ma San Francisco, CA.	11.
Dear S	Sir:							
		ted herewith for filing in to Office Action Mailed		ntified patent	applicatio	n is an <u>Ame</u>	ndment and	
2.	Claim Fee Calculation X No additional claim fee is required. Amendment increases number of claims or multiple dependencies. Additional Claim Fee Calculation							
		Description	Fee Code	Claims	Extra	Rate	Fee	
		Independent Claims	2201	5-7=	0 x	\$100=	\$0	
		Total Claims	2202	41-65=	0 x	\$25=	\$0	
					Fees Du	le	\$0	
3.	Payment X	of Fees Enclosed is a check for t The Commissioner is au fees set forth under 3	thorized to ch	arge any fees	due and t			

Edward J. Lynch Registration No. 24,422

Attorney for Applicants

referencing Atty. Docket No. R0367-02501. A duplicate copy of this document is

Duane Morris LLP One Market

Spear Tower, Suite 2000 San Francisco, CA 94105 Telephone: (415) 957-3000 Facsimile: (415) 957-3001

enclosed for fee processing.

Direct Dial: (415) 957-3067

RECEIVED **CENTRAL FAX CENTER**

DEC 2 0 2006

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Atty. Docket. No.: R0367-02501) All E DI IDRIANT TO 27 C F P &1 R			
Filed: December 5, 2003	09/25/2006			
Serial No.: 10/729,086	AMENDMENT AND RESPONSE TO OFFICE ACTION MAILED			
For: TISSUE ACCESSING AND ANCHORING DEVICE AND METHOD				
Burbank et al.	Group Art Unit: 3736			
In re the application of) Examiner: Fangemonique A. Smith			

I hereby certify that this these papers are being sent by facsimile to (571) 273-8300, and addressed to Examiner Fangemonique A. Smith, Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandris, VA 22313-1450, on <u>December 20, 2006</u>, In San Francisco, CA.

Sirpa Kirjonen

Mail Stop Amendment **Commissioner for Patents** P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

In response to the non-final Office Action mailed September 25, 2006, please amend this application as indicated below: